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PTO/SB/21 (02-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/817,058
Filing Date	April 2, 2004
First Named Inventor	John E. Baker, et al.
Art Unit	1614
Examiner Name	Unknown
Attorney Docket Number	BA-32448(1)

ENCLOSURES (Check all that apply)

- | | | |
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| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name
Whyte Hirschboeck Dudek S.C.
Kristine M. Strodthoff (34,259)

Signature
Kristine M Strodthoff

Date
July 2, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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PATENT

Attorney Docket No. BA-32448(1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John E. Baker, et al.
Serial No. : 10/817,058
Filing Date : April 2, 2004
For : Method of Treating Cardiac Ischemia by Using Erythropoietin
Examiner : Unknown
Group Art Unit: 1614
Confirmation No.: 2664

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

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P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, Applicant submits the information listed on the enclosed Form 1449 for consideration in the above-identified application. No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103.

This Information Disclosure Statement is being filed before the mailing of a first action on the merits. Therefore, no fee is due for consideration of the enclosed information.

Return of the enclosed Form 1449 in the next communication to Applicant, showing the citations as initialed and considered, is respectfully requested.

Respectfully submitted,

Kristine M. Strodthoff

Kristine M. Strodthoff
Registration No. 34,259

Dated: July 2, 2004

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JUL 07 2004

PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/817,058
Filing Date	April 2, 2004
First Named Inventor	John E. Baker, Ph.D.
Art Unit	1614
Examiner Name	Unknown
Attorney Docket Number	BA-32448(1)

Sheet	1	of	5
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

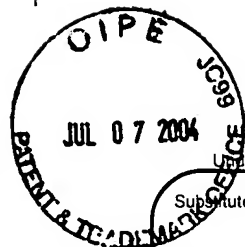
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/817,058
Filing Date	April 2, 2004
First Named Inventor	John E. Baker, et al.
Art Unit	Unknown 1614
Examiner Name	Unknown
Attorney Docket Number	BA-32448(1)

Sheet	2	of	5
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Hoffman, 2000 "Incidence, prevalence, and inheritance of congenital heart disease." In J. Moller, and J. Hoffman (eds.), Pediatric Cardiovascular Medicine: 257-262. New York: Churchill Livingstone.	
		Baker et al., 1995, "Tolerance of the developing heart to ischemia: impact of hypoxemia from birth", Am. J. Physiol. 268:H1165-1173.	
		Rafiee et al., 2002, "Activation of protein kinases in chronically hypoxic infant human and rabbit hearts: role in cardioprotection", Circulation 106:239-245.	
		Shi et al., 2000, "Chronic myocardial hypoxia increases nitric oxide synthase and decreases caveolin-3." Free Radic. Biol. Med. 29:695-703.	
		Baker et al., 1997, "KATP channel activation in a rabbit model of chronic myocardial hypoxia", J Mol Cell Cardiol 29:845-848.	
		Baker et al., 1997, "Increased tolerance of the chronically hypoxic immature heart to ischemia. Contribution of the KATP channel", Circulation 95:1278-1285.	
		Nagata et al., 1998, "Activation of p38 MAP kinase and JNK but not ERK is required for erythropoietin-induced erythroid differentiation", Blood 92:1859-1869.	
		Siren et al., 2001, "Erythropoietin prevents neuronal apoptosis after cerebral ischemia and metabolic stress", Proc. Natl. Acad. Sci. U.S.A. 98:4044-4049.	
		Baker et al., 1999, "Preconditioning in immature rabbit hearts: role of KATP channels", Circulation 99:1249-1254.	
		Xu et al., 2002, "Cytoprotective role of Ca ²⁺ - activated K ⁺ channels in the cardiac inner mitochondrial membrane", Science 298:1029-1033.	

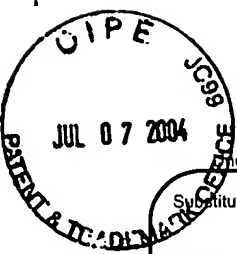
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		Application Number	10/817,058		
		Filing Date	April 2, 2004		
		First Named Inventor	John E. Baker, et al.		
		Art Unit	Unknown 1614		
		Examiner Name	Unknown		
Sheet	3	of	5	Attorney Docket Number	BA-32448(1)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Walker et al., 2000, "Nitric oxide-dependent pulmonary vasodilation in polycythemic rats", Am. J. Physiol. Heart Circ. Physiol. 279:H2382-2389.	
		Ammarguella et al., 2001, "Low doses of EPO activate MAP kinases but not JAK2-STAT5 in rat vascular smooth muscle cells", Biochem. Biophys. Res. Commun. 284:1031-1038.	
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		Gross. 2000, "The role of mitochondrial KATP channels in cardioprotection", Basic Res Cardiol 95:280-284.	
		Sato et al., 2000, "The role of mitochondrial K(ATP) channels in cardioprotection", Basic Res Cardiol 95:285-289.	
		Eells et al., 2000, "Increased mitochondrial K(ATP) channel activity during chronic myocardial hypoxia. Is cardioprotection mediated by improved bioenergetics?" Circ Res 87:91	
		Suzuki et al., 2003, "Cardioprotective effect of diazoxide is mediated by activation of sarcolemmal but not mitochondrial ATP-sensitive potassium channels in mice", Circulation 107:682-685	
		Zhang et al., 2001, "Characteristics and superoxide-induced activation of reconstituted myocardial mitochondrial ATP-sensitive potassium channels", Circ Res 89:1177-1183.	
		Wu et al., 1999, "Relationship between erythropoietin and nitric oxide in the contraction of rat renal arcuate arteries and human umbilical vein endothelial cells", Clin Sci (Lond) 97:413-419.	
		Digicaylioglu et al., 2001, "Erythropoietin-mediated neuroprotection involves cross-talk between Jak2 and NF-kappaB signalling cascades", Nature 412:641-647.	

Examiner Signature		Date Considered	
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Sheet	4	of	5
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		Siebenlist. 2001, "Signal transduction. Barriers come down", Nature 412:601-602.	
		Jones et al., 2001, "Hypoxic preconditioning induces changes in HIF-1 target genes in neonatal rat brain", J. Cereb. Blood Flow Metab. 21:1105-1114.	
		Parsa et al., 2003, "A novel protective effect of erythropoietin in the infarcted heart", J Clin Invest 112:999-1007.	
		Cai et al., 2003, "Hearts from rodents exposed to intermittent hypoxia or erythropoietin are protected against ischemia-reperfusion injury", Circulation 108:79-85.	
		Clements-Jewery et al., 2002, "Independent contribution of catecholamines to arrhythmogenesis during evolving infarction in the isolated rat heart", Br J Pharmacol 135:807-815	
		Farkas et al., 2002, "Limited antifibrillatory effectiveness of clinically relevant concentrations of class I antiarrhythmics in isolated perfused rat hearts", J Cardiovasc Pharmacol 39:412-424.	
		Baker et al., 2000, "Resistance to myocardial ischemia in five rat strains: is there a genetic component of cardioprotection?" Am. J. Physiol. Heart Circ. Physiol. 278:H1395-1400.	

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		Cody et al., Frequency of administration of recombinant human erythropoietin for anaemia of end-stage renal disease in dialysis patents (Cochrane Review), from <i>The Cochrane Library</i> , Issue 1, 2004, Chichester, UK: John Wiley & Sons, Ltd. (www.update-software.com/abstracts/AB003895.html)	
		Parsa et al., A novel protective effect of erythropoietin in the infarcted heart, <i>J. Clin. Invest.</i> 112(7): 999-1007 (Oct. 2003)	
		Ravingerovia et al., Preconditioning Modulates Susceptibility to Ischemia-induced Arrhythmias in the Rat Heart: The Role of α -Adrenergic Stimulation and K (ATP) Channels, <i>Physiol. Res.</i> 51: 109-119 (2002)	
		Shi et al., Acute Cardioprotective Effects of Erythropoietin are Mediated by Activation of Protein Kinases and Potassium Channels, <i>Circulation</i> (Supp. IV) 108 (17): Abstract 1299 (Oct. 28, 2003)	
		Shi et al., Acute Cardioprotective Effects of Erythropoietin in Infant Rabbits are Mediated by Activation of Protein Kinases and Potassium Channels, <i>Basic Res. Cardiol.</i> 99: 1-10 (Published on line Jan. 29, 2004)	
		Cody et al., Recombinant human erythropoietin for chronic renal failure anaemia in pre-dialysis patients (Cochrane Review),), from <i>The Cochrane Library</i> , Issue 1, 2004, Chichester, UK: John Wiley & Sons, Ltd. (www.update-software.com/abstracts/AB003266.html)	

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